

# Briefing on the situation in South Sudan

**Briefing on the situation in South Sudan** Date | 26 February 2024

Tomorrow (27 February), the African Union (AU) Peace and Security Council (PSC) is set to receive updates on the situation in South Sudan, as an agenda item of its 1202<sup>nd</sup> session.

Following opening remarks by Mohamed Arrouchi, Permanent Representative of the Kingdom of Morocco to the AU and Chairperson of the PSC for February 2024, Bankole Adeoye, Commissioner for Political Affairs, Peace and Security (PAPS) is expected to brief the Council on what he gathered from his recent visit to South Sudan on the state of the transition and the progress towards the holding of elections scheduled for end of 2024. As the country concerned, a representative of South Sudan is also expected to deliver a statement. The Special Representative of the Chairperson of the AU Commission for South Sudan and Head of AU Liaison Office, Joram Mukama Biswaro; representative of the Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC); representative of Djibouti as Chair of the Secretariat of the Intergovernmental Authority on Development (IGAD); and the Special Representative of the United Nations (UN) Secretary-General for South Sudan and Head of the UN Mission in South Sudan (UNMISS) Nicholas Haysom are also expected to participate in tomorrow's session.

As the country prepares to hold its first elections in December 2024 since its independence, President Salva Kiir Mayardit appointed the leadership of the National Elections Commission (NEC); the National Constitutional Review Commission (NCRC), and the Political Parties Council (PPC) on 3 November 2023. In its last meeting on the situation in South

Sudan – the 1186<sup>th</sup> session held on 16 November 2023 –, the PSC welcomed the decision as an important step towards facilitating the constitution-making and electoral processes.

The December elections are expected to pave the way for the end of the transition period as envisaged in the 2018 Revitalised Agreement to the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). With only 10 months left before this important milestone in the country's political trajectory, however, there appear to be serious concerns that the conditions necessary for holding credible elections are not yet in place. UNMISS Head Haysom explained these conditions in his most recent media briefing on 13 February. He underscored the need to decide on the type of elections to be held; agree on a realistic electoral calendar, taking into account operational, logistical, legal, and security issues; fast-track the implementation of the transitional security arrangements, agree on an electoral security plan, and deploy the Necessary Unified Forces (NUF) to provide a secure environment.

There seems to be an emerging consensus that if these conditions are not met by April 2024, South Sudan may not be in a position to conduct free, fair, credible, and peaceful elections. In the words of Haysom, 'elections can be held in December, but only if the country's leaders take urgent action to overcome key obstacles'. Similarly, RJMEC reported last month that 'without adequate funding towards the unification of the Necessary United Forces, & the effective functioning of the Agreement Institutions & Mechanisms, including the recently reconstituted Political Parties Council, National Constitutional Review Commission & the National Elections Commission, South Sudan will continue to struggle to adhere to the implementation schedule of the R-ARCSS, & this could seriously jeopardise the holding of elections in Dec. 2024.'

The AU has been working closely with the UN and IGAD through

the Trilateral mechanism to engage with the Government on the constitution-making and electoral processes. The South Sudanese government also set up a joint task force in July 2023 to coordinate efforts on these issues. At tomorrow's meeting, the Trilateral mechanism is likely to report to the PSC on the state of constitution-making and electoral processes. All indications are that the AU needs to prioritise South Sudan in terms of the provision of support for the implementation of the key transitional processes necessary for the elections. More importantly, the AU needs to put in place a high-level and standing preventive diplomacy mechanism for regularly monitoring the situation, maintain close contact with all stakeholders and promote together with other entities including the C5, UN, RJMEC and IGAD a platform for promoting dialogue and consensus among the South Sudanese major stakeholders on the various transitional processes and the preparations for the holding of elections.

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In the meantime, the security situation in South Sudan remains volatile. In a sign of the precariousness of the transitional process, on 24 January 2024, it was reported that fighting erupted in northern Unity State between SSPDF and SPLA-IO, in violation of a longstanding cessation of hostilities under the R-ARCSS and the current efforts to unify the national army under one command. The volatility of the security situation also involves the continued impact of inter-communal violence in various parts of the country including in Unity, Jonglei,

Lakes, and Warrap states. According to UNMISS, 'Warrap, in particular, has witnessed persistent cross-border clashes between the Dinka Twic and Dinka Ngok communities over territorial disputes in the Abyei Administrative Area, which has led to [the] loss of lives and properties, abductions as well as largescale displacement since last year'. The National Salvation Front (NAS), a non-signatory armed group, also continues to wage war against the South Sudanese government.

It seems that the South Sudanese government requested Kenya in December 2023 to take over the Rome process, which was initiated by the Community of Sant' Egidio, a lay Catholic association, to facilitate talks between the South Sudanese government and non-signatory parties of the R-ARCSS. The Rome talks had been stalled for several months after the government withdrew its delegation but the parties met in March 2023 after the visit of Pope Francis to South Sudan in February 2023. Although there was a plan to hold a follow-up meeting in May 2023, apparently it did not take place. The PSC has been urging the parties to the Rome peace talks to resume negotiations, given the limited time available before the end of the transition period. After South Sudan's request for Kenya to take over the Rome process, Kenya's President William Ruto reportedly met and held discussions with officials of Sant' Egidio in Rome during the Italy-Africa Summit in January and expressed his commitment to work with the former mediators. On 12 January 2024, he delivered message through the Principal Secretary of Foreign Affairs, Korir Sing' Oei to General Paul Malong Awan Anei, Chairman, South Sudan United Front and through him to other key leaders of the South Sudan Opposition Movement (SSOMA). After a phone call he held with President Kirr on 23 January 2024, President Ruto reported on his X platform that he 'reached out to all the hold-out opposition parties under the South Sudan Opposition Movements Alliance expressing my desire to ensure an all-inclusive and equitable mediation.'

The security situation coupled with the impact of climate change and increasing socioeconomic difficulties has worsened the humanitarian situation in South Sudan. This has been further compounded by the massive influx of Sudanese refugees and South Sudanese returnees due to the ongoing fighting in that country. According to OCHA, more than half a million Sudanese refugees and South Sudanese returnees have entered South Sudan since the onset of the war in Sudan in April 2023. This is in addition to the 2.2 million internally displaced people in the country. However, the security and humanitarian situation in South Sudan does not seem to be getting the necessary attention because of other crises around the world. There also appears to be donor fatigue which limits the availability of resources.

On the margins of the 37<sup>th</sup> AU Summit, the AU Ad hoc Committee on [South Sudan](#) (C5) met at the Ministerial level to discuss the situation in South Sudan and exchange views on how to support the country in conducting successful elections by the end of this year. The C5 seems to have decided to undertake a ministerial visit to South Sudan to engage with all the parties and stakeholders to assess the situation on the ground and discuss the way forward.

Tomorrow's meeting of the PSC happens ahead of the UNMISS mandate renewal in March. The outcome of the meeting is likely to provide the necessary guidance to the three African members of the Security Council as they engage in the upcoming mandate renewal negotiations. Given the prevailing concerns over various outstanding transitional processes and the holding of elections before the end of this year, there are speculations that the Security Council may opt for a technical rollover of the mandate until April pending South Sudan's progress in its elections preparations and other outstanding tasks related to the implementation of the R-ARCSS.

In May, the Security Council is also expected to renew the

sanctions regime imposed on South Sudan. The country has been calling for the lifting of the sanctions regime arguing that this will be critical to arm and equip the NUF for their effective deployment. In its most recent communique adopted on 16 November 2023 following its meeting on the situation in South Sudan, the PSC reiterated its call for the lifting of the arms embargo to enable the South Sudanese government to implement the R-ARCSS, particularly relating to transitional security arrangements.

The expected outcome of the session is a communiqué. The PSC is expected to commend the Reconstituted Transitional Government of National Unity (R-TGoNU) for taking some of the necessary steps for the conduct of elections by December this year. It may urge the government to expedite implementation of key pending tasks required for the conduct of free, fair, credible, and peaceful elections. It may welcome the ongoing efforts being made in the constitution-making process and call on the Trilateral mechanism to strengthen and fast-track the process, in collaboration with the government of South Sudan. The PSC may also welcome the efforts of President Ruto to bring the hold-out armed rebel groups into the peace fold. It may also welcome the visit that Bankole undertook to South Sudan and may in this respect highlight the need for maintaining high-level and sustained attention and engagement in view of the current delicate stage of the transitional process in South Sudan. It may further call for the establishment of a preventive diplomacy mechanism for regularly monitoring the situation, maintain close contact with all stakeholders and promote together with other entities including the C5, UN, RJMEC and IGAD a platform for promoting dialogue and consensus among the South Sudanese major stakeholders on the various transitional processes and the preparations for the holding of elections. The PSC may also call on all relevant stakeholders, particularly the R-TGoNU to avail conducive political and civic space to enable citizens' free participation in the electoral processes. It may note and

express concern over the recently reported fighting involving the armed elements of the signatories of R-ARCSS and the continued intercommunal violence in parts of the country and caution against its potential to reverse the gains made thus far. The PSC may also take note of the aggravated humanitarian situation which is compounded by the impacts of climate change and socioeconomic difficulties and appeal to partners and the international community to extend support and assistance to affected communities, including South Sudanese returnees and Sudanese refugees.